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General Assembly

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Human Rights Council
Thirty-seventh session
26 February-23 March 2018
Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by the Child Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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1802115

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Situation of Children in Yemen

As the conflict in Yemen approaches the start of its third year, humanitarian organizations are looking back on the past year or so and examining how better to help those affected by this war. One of the groups most damaged by this violent situation is children because of their vulnerability and a lack of accessibility to resources which are necessary for them to both survive and thrive. Some of these most important areas include access to education, health, food, and basic human rights. Changes in the availability of these resources have been noted by non-profits who are doing their best to improve the lives of Yemeni children and families, and many goals have been set for the coming year. Unfortunately, the aid that is necessary is not always possible to access in these situations for a variety of reasons.

In the past few months, massive issues with accessibility and fuel supplies have created an extremely difficult situation for humanitarian organizations and sponsors to overcome. Blockades of both humanitarian and commercial shipments have limited the ability for aid to reach those in Yemen who need it most. Though many blockades have been lifted, because of the continued inability for aid groups to ship supplies at full capacity, areas that have been heavily effected by conflict have been unable to receive the health support and supplies necessary. Additionally, a serious scarcity of fuel has also harmed this, especially affecting the daily operations at local hospitals. These limited fuel supplies are expected to last through the month, at best, which creates even further concerns for the future.

According to UNICEF, 8.2 million children in Yemen are in need of heath assistance. With recent outbreaks of diphtheria and the continued presence of cholera, the need for vaccines for children, especially those under the age of 5, is becoming increasingly more important. As the most at risk group for these diseases as well as many others, children are the main focus for vaccine and WASH support in order to prevent the spread of these diseases among such a vulnerable population.

Possibly more important than any other issue is the threats to their lives that children in Yemen face on a daily basis. A 2016 report from Human Rights Watch stated that there were 58 airstrikes that killed over 192 children, and among those incidents, multiple had occurred at schools. Not only is educational opportunity an important priority for children at this crucial developmental stage in their lives, but the impact that events like this have on a child's psychological state and can be incredibly destructive. In order to combat the effects of events such as these, many humanitarian organizations have put a lot of effort toward and stressed the importance of providing psychological support for effected children.

A lack of fuel, accessibility, and high prices has continued to create almost constant food insecurity within the country. According to a WHO report, almost 1.8 million children suffer from malnourishment. In an effort to overcome these issues, groups have attempted to send food through southern ports as opposed to the usually more active northern ports. Additionally, food shortages have most widely affected families because more than half of all of these households rely on day-to-day shopping trips. Because of this, when mass food shortages occur, many of these families are unable to put food on their tables.

Lastly, the instability of the education system in Yemen has put children's growth in danger. This past November, millions of children gradually began their school year (at a much later start date than usual) because teacher strikes slowly began to end. Though the transition has begun, schools are still not operating at full capacity, with only a few courses being taught everyday as opposed to the usual 6 or so. Additionally, as mentioned before, the potential for bombings at these locations have continued to pose a serious threat. Goals for the coming year seem to outline improved access for education and improved in-school psychosocial support.

We call on international community, including regional and international organizations,

in particular the United Nations Councils, including the Security Council and Human

Rights Council, to:

- Undertake all peaceful means seeking immediate and peaceful solutions that provide the necessary and sufficient protection for the Yemeni people and respect international human rights and democratic standards and principles.
- Give immediate and adequate attention to the humanitarian situation of Yemeni Children and take immediate measures to enhance the adequacy and availability of needed resources and capacities of humanitarian agencies to intervene.

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Human Rights Council
Thirty-seventh session
26 February-23 March 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Human Rights Advocates Inc., a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Please recycle

Planting a Seed: How Knowledge, Education and Cohesive Efforts Can Aid the Environment

I. Introduction

Humanity is pushing the Earth beyond its limits. In 1992, the world's most prominent scientists, known as Union of Concerned Scientists (UCS), sent a letter to government leaders around the world.1 This letter urged "people to take immediate action to stop the ever-increasing environmental degradation that threaten[ed] global life support systems on this planet."2 This was the scientists' first warning to humanity. Now, 25 years later, the UCS has issued their second warning.3 Joined by 15,364 signatories from 184 countries, their message is clear: We are destroying the Earth and all its life, our only home.4

The environment has been an important topic to the Human Rights Council (HRC). HRC has long affirmed numerous resolutions recognizing that a sustainable environment contributes to the enjoyment of human rights.5 On the contrary, climate change hinders the enjoyment of a healthy environment while also having direct and indirect negative impact on numerous human rights, such as the right to life and the right to the enjoyment of the highest attainable standard of physical and mental health.6 This was reaffirmed in 2017.7

It is imperative that the UCS's warning be addressed or recognized. Scientists warn that humans are "pushing Earth's ecosystems beyond their capacities to support the web of life."8 It is vital to recognize human activity as the root of climate change and promote the exchange of knowledge between governments, scientists, human rights defenders, civil society and relevant stakeholders to begin true action on climate change.

II. Current Environmental Impact and Affected Human Rights

The United Nations' (UN) report from the Intergovernmental Panel on Climate Change (IPCC) is virtually certain that human activity is a cause of climate change.9 Developed nations are found to be the largest historical contributor.10 Human activity includes driving cars, burning fossil fuels, water pollution, dumping hazardous waste, excessive agriculture, deforestation, species extinction, overpopulation, and many more. This raises a resource sustainability problem; while some effects are necessary or inevitable, the rate of adverse impact on environmental resources far surpasses the level at which it should be replenished. If left uncontrolled, UCS warns a mass extinction event will cause "many current life forms [to] be annihilated or at least committed to extinction by the end of this century."11

There are a host of environmental issues affecting the Earth at this moment. UCS lists the following: atmosphere, water resources, oceans, soil, forests, living species, and population.12 Additionally, the UN has further emphasized the importance of biodiversity by stating, "The full enjoyment of human rights, including the rights to life, health, food, and water, depends on the services provided by ecosystems."13

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1 Union of Concerned Scientists, *World Scientists' Warning to Humanity: A Second Notice*, https://academic.oup.com/bioscience/article/67/12/1026/4605229.

2 Union of Concerned Scientists, *World Scientists' Warning to Humanity*, https://www.ucsusa.org/about/1992-world-scientists.html#.WmDyTKinEox, at 1.

3 *Supra*, note 1.

4 *Id.* at 1, 3.

5 Human Rights Council Res. 28/11, U.N. Doc. A/HRC/28/11 (Mar. 26, 2015).

6 *Id.* at ¶ 10.

7 Human Rights Council Res. 34/20, ¶ 11, 12 U.N. Doc. A/HRC/RES/34/20 (Mar. 24, 2017).

8 *Id.*

9 Intergovernmental Panel on Climate Change, *Climate Change 2013: The Physical Science Basis*, *https://www.ipcc.ch/pdf/assessment-report/ar5/syr/AR5_SYR_FINAL_SPM.pdf*

10 *Supra*, note 2, at 6.

11 *Supra*, note 1, at 1.

12 *Id.*

13 Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment, Human Rights Obligations Relating to the Enjoyment of a Safe, Clean,

There are many misconceptions concerning the environment and climate change. For example, the term "global warming," which is one effect of climate change, has been used as an incorrect interchangeable term for "climate change." While the Earth is getting warmer due to the increased heat trapped in the atmosphere, that is not the only effect; it has caused extreme temperatures where some places are hotter than usual, whereas others are subjected to intense rain and snowstorms.14

A truth that must be recognized is that humans are the leading cause of climate change.15 Opponents have argued that in the past, climate change has occurred in many instances, even before humans created manmade CO_2 emissions.16 However, this falsely presumes humans do not have a responsibility in climate change because it happens naturally.17 UCS's report finds that out of the eight categories of problems cited, humankind has only made one meaningful change: the reduction of ozone depletion.18 The world collectively recognized and addressed the issue by creating the United Nations Montreal Protocol.19 That was the beginning of that change.

While the impact of climate change on the environment is indiscriminate and felt globally, there are countless instances where environmental disasters are suffered most acutely by the poorest and most vulnerable of society.20

III. How Knowledge, Education and Collective Effort Can Aid the Environment

The UCS and the UN have acknowledged education as one of the keys to ending climate change.21 Education is not only limited to the school system, but also extends to educating civil society on relevant human rights issues, including the environment. Facilitating the spread of knowledge not only engages civil society in caring and understanding the environment, it also fosters opinions and discourse needed in climate change decision-making and behaviors. Governments need to become an open, indiscriminate source of reliable information for civil society.

The following are two examples of this.

A. Japan

In a small village in southwestern Japan, there is a town called "Kamikatsu" that is known for being nearly "zero-waste."22 As the name suggests, zero-waste refers to residents striving to adopt a waste-free lifestyle. Townspeople sort, wash, and transport their waste to their town's sorting center, which is then double-checked by staff. The task is not simple as there are 34 separate categories for waste. Although tedious and time-consuming, it is second-nature to the residents since the program was implemented in 2003. About 80% of their waste is recycled, reused, or composted. In addition to their laborious zero-waste program, the town also repurposes old and discarded products, such as teddys bears into kimonos. The program was created by the city and residents' collective desire to prevent a further damaging environment. Kamikatsu hopes to become completely zero-waste by 2020. This green mindset is not limited to just Kamikatsu. According to the 2018 Environmental Performance Index, Japan was ranked first in the Asian region for performance on high-priority environmental issues.23

B. United States of America (USA)

Healthy and Sustainable Environment, ¶ 5 U.N. Doc. A/HRC/34/49 (Jan. 19, 2017).

14 Union of Concerned Scientists, *It's Cold and My Car is Buried in Snow. Is Global Warming Really Happening?*, https://www.ucsusa.org/global-warming/science-and-impacts/science/cold-snow-climate-change.html#.WmerTKinEow.

15 *Supra*, note 9.

16 Center of Climate and Energy Solutions, *Realities vs. Misconceptions about Climate Change Science*, https://c2es.org/site/assets/uploads/2017/03/misconceptions-realities-climate-science-06-2012.pdf.

17 *Supra*, note 1, at 1.

18 *Id.*

19 Union of Concerned Scientists, *World Scientists' Warning to Humanity: A Second Notice Supplemental File S1*, *https://goo.gl/yrRm11, at 2.*

20 *Supra*, note 7, at 2.

21 *Supra*, note 1, at 3; Human Rights Council Res. 34/20, ¶ 25, U.N. Doc. A/HRC/RES/34/20 (Mar. 24, 2017).

22 Business Insider, *The simple way this Japanese town has become nearly zero waste*, http://www.businessinsider.com/zero-waste-town-kamikatsu-japan-2017-7.

23 Yale University, *2018 Environmental Performance Index*, https://epi.envirocenter.yale.edu/downloads/epi2018policymakerssummaryv01.pdf.

A nationwide non-profit organization called "Alliance for Climate Education" (ACE) is moving the USA. in a positive step towards climate change education.24 The non-profit conducts climate change education in high schools across the country. The organization provides educators with innovative learnings tools to educate students, such as videos, interactive trivia and lesson plans.25 The program was studied by Yale, George Mason University and Stanford researchers. They found that students who participated in ACE's programs were more informed and involved in climate change issues, and also exhibited short and long-term positive behaviours such as using reusable items.

Education and cohesive effort encourages a knowledgeable and involved society. Without them, civil society cannot meaningfully engage in the conversation about climate change.

IV. Recommendations

Human Rights Advocates (HRA) urges the Council to:

1. Specifically request that the Special Rapporteur examine the cohesive effort towards education, knowledge and the environment by addressing civil society and their perspective.

HRA urges States to:

1. Pay special attention to the UCS's World Scientists' Warning to Humanity and its research regarding human activities' effect on the world and progress that has been made.

2. Educate and involve civil society in the conversation about humanity and the environmental impact, heed attention to civil society's opinions and concerns regarding climate change, ensure their participation in environmental decision-making, and provide accurate and complete information.

3. Enable the exchange of information between global leaders, scientists, human rights defenders and other relevant stakeholders to create a unified framework to tackle climate change and promote cohesive decision-making in reducing negative environmental impact.

24 Flora, Saphir, Lappé, Roser-Renouf, Maibach, Leiserowitz, *Evaluation of a national high school entertainment education program: The Alliance for Climate Change Education*, https://link.springer.com/article/10.1007/s10584-014-1274-1.

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Human Rights Council
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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Human Rights Advocates Inc., a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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1802035

Please recycle

Protection of Human Rights Defenders and Journalists' Rights

I. Introduction

Human Rights Advocates calls attention to areas of concern regarding the protection of journalists. Journalists face major risks as a result of their work because governments and other powerful actors, seeking to escape scrutiny and suppress opposition, often respond to critical reporting or activism with attempts to silence these heroes. Human rights defenders as a whole have been victims of these risks of oppression around the world. At the 34th session, the Human Rights Council (HRC) adopted resolution A/HRC/RES/34/5 addressing the situation of human rights defenders. Threats, surveillance, arbitrary arrest and detention, and, in the gravest cases, enforced disappearance or killings, are too often the cost of reporting the truth.

Although oppression exists around the globe is against all human rights defenders, this statement focuses on disconcerting trends in several countries where journalists as human rights defenders are targeted. It also offers recommendations to provide a more just and equitable environment for the protection of journalists.

II. Attacks on Journalists

Journalists and other human rights defenders play a critical role in protecting human rights in the world by ensuring the public's right to know so that governments and institutions can be held accountable. Article 19 of the Universal Declaration of Human Rights states that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

At its 70th session, the General Assembly (GA) passed resolution A/RES/70/162 regarding the safety of journalists and the issue of impunity. It recognized how journalism is contributing to the shaping of public debate, in building inclusive and peaceful societies and democracies, and in fostering peace and good governance. The GA also noted its deep concern about all human rights violations and abuses committed in relation to the safety of journalists including killing, torture, arbitrary arrest and detention, enforced disappearance, and other forms of violence.

The United Nations (UN) special rapporteur on the situation of human rights defenders, Michael Forst, concluded in his January 23, 2017 report that human rights defenders continue to be vilified, threatened, and attacked throughout the world.1 In his introduction, he listed journalists, along with bloggers and whistle-blowers, as one group of human rights defenders where he noted that attacks against them are multiplying everywhere. As reported by Article 19, a British human rights organization, there has been an alarming rise in attacks on journalists who seek to expose corruption and abuse.2 Article 19 has also reported that in 2016 alone, 259 journalists were imprisoned worldwide, and 79 were killed. This statement will now address specific countries as examples.

Eritrea:

Committee to Protect Journalists (CPJ), a nonprofit organization that promotes press freedom worldwide, reported Eritrea as the first most censored country in the world in restricting the press, where the only media allowed to disseminate news in the country is the state media.3 Even those working for the heavily censored state press live in constant fear of arrest for any report perceived as critical to the ruling party, or on suspicion that they leaked information outside the country. It is also reported that Eritrea has the most jailed journalists in Africa and none of those arrested are taken to court. Five independent journalists who were arrested in 2001 may have died in prison, but this couldn't be confirmed because of the limited access to information that exists in Eritrea.

United States of America:

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1 Report of the Special Rapporteur on the situation of human rights defenders, A/HRC/34/52 (Jan. 23, 2017) ¶ 80.

2 Pam Cowburn, New Article 19 Metric Measures Global Threats to Freedom of Expression and Information, November 29, 2017, https://www.article19.org/resources/new-article-19-metric-measures-global-threats-freedom-expression-information/.

3 Ten Most Censored Countries by CPJ, https://cpj.org/2015/04/10-most-censored-countries.php.

Even in the United States, a country listed as one of the "free press" countries on the World Audit website,4 and where free speech is one of the most cherished liberties, there are reports of journalists' detention in the last few years. In February 2017, US Press Freedom Tracker reported the arrest of an independent photojournalist, Tracie Williams, who was covering events at the Dakota Access Pipeline camp.5 Even though police had returned her telephone, camera, and other accessories that they seized during her arrest, Williams is charged with physical obstruction of government function that could result in a year in jail. She is scheduled to go to trial in June 2018.

Though the degree of threat that is posed to journalists all over the world varies, the mechanisms that states use to attack these journalists exhibit similar trends. Most countries use laws like anti-terrorism legislation that are repressive but deceivingly painted as ensuring public safety to detain and imprison journalists.

III. Anti-Terrorism Laws

The Human Rights Council in its 22/6 resolution stated its grave concern about national security and counter-terrorism legislation that have been misused by states to target human rights defenders and to hinder their work in a manner contrary to international law.6 As per CPJ's annual prison census, more than half of the journalists imprisoned globally are charged with anti-state crimes, including in China, where there is the largest figure of imprisoned journalists in the world.7 Other countries that use similar charges to crush critical voices include Saudi Arabia, which is listed as the third most censored country by CPJ.

According to CPJ's report, Ethiopia is also listed as the fourth most censored country for restricting the press. Similarly, Human Rights Watch (HRW) has reported Ethiopia as being on the watch for its systematic repression of independent media, especially during election years.8 In its January 2015 report, HRW stated that at least 22 journalists were criminally charged in Ethiopia, and more than 30 fled the country in fear of being arrested under repressive laws.

According to the World Audit website, of several journalists that have been arrested alongside civil society activists and politicians for years, a number of them are charged with treason, genocide, and attempts to subvert the constitution, all charges that carry prison terms and the possibility of the death penalty.9 However, according to a report by CPJ, the governments usually don't produce sufficient evidence to convincingly establish that the work of these journalists was intended to incite violence or encourage ethnic tension or genocide.

For example, the Tom Lantos Human Rights Commission reported about a prominent Ethiopian journalist by the name of Enkinder Nega, who was sentenced to 18 years in prison in July 2012 under the country's overly-broad 2009 Anti-Terrorism Proclamation soon after he published an online column.10 The column was critical of the use of terrorism laws by the government to silence dissent and was calling the Ethiopian government to respect freedom of expression and end torture in the country's prisons. It is also reported that the UN Working Group on Arbitrary Detention has found his detention illegal under international law and called for his immediate release.

The case of Nega is an example of the typical technique that governments use to systematically attack journalists by referencing so-called anti-terrorism laws. Use of these laws for this purpose need to stop, and states should be obligated to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law.

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4 Democracy Audit on Press Freedom by World Audit.org, http://www.worldaudit.org/presstable.html

5 Journalist Tracie Williams arrested at Standing Rock, February 23, 2017, https://pressfreedomtracker.us/arrest-criminal-charge/?categories=4&tags=3

6 A/HRC/RES/22/6

7 *Supra* note 3.

8 Ethiopia: Media Being Decimated, January 21, 2015, https://www.hrw.org/news/2015/01/21/ethiopia-media-being-decimated

9 *Supra* note 4.

10 About the Defending Freedoms Project by the Tom Lantos Human Rights Commission, https://humanrightscommission.house.gov/defending-freedom-project/prisoners-by-country/Ethiopia/Eskinder%20Nega.

IV. Conclusion

Journalists must be afforded greater protection and states should pay attention to the safety of journalists taking into consideration their specific role, exposure, and vulnerability as human rights defenders. The UN should also invite its relevant agencies, groups, and mandate holders to work together in order to ensure the safety of journalists throughout the world. For example, the special rapporteur Michael Forst suggested collaboration with two other mandates, the special rapporteur on the promotion and protection of the right to freedom of opinion and expression and the special rapporteur on the rights to freedom of peaceful assembly and association. The UN should enable this effort.

V. Recommendations

Human Rights Advocates recommends to the Human Rights Council to:

1. Request the special rapporteur on the situation of human rights defenders to include journalists in the group of human rights defenders who are at most risk;
2. Effectuate the collaboration between relevant mandate holders suggested by the special rapporteur on the situation of human rights defenders so that they can ensure the protection of journalists;
3. Urge state parties:
    a. To create a safe and enabling environment for the work of journalists by amending relevant legislation and its implementation that hinder or limit the ability of journalists to exercise their work as human rights defenders; and
    b. To immediately release journalists who have been imprisoned without judicial procedures or who have become victims of enforced disappearances.